UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES LIABILITY INSURANCE COMPANY, Plaintiff, v. NEWLINE TRANSPORT, INC., et al. Defendants.	Case No. 1:24-cv-01602-SAB ORDER REQUESTING STATUS OF SERVICE ON DEFENDANT NEWLINE TRANSPORT, INC. (ECF Nos. 6, 10) **MARCH 18, 2025 DEADLINE**

Plaintiff commenced this action on December 30, 2024. (ECF No. 1.) On January 14, 2025, Plaintiff filed proof of service on Defendant Newline Transport, Inc. ("Newline"). (ECF No. 6.) On March 12, 2025, Plaintiff requested entry of default against Newline. (ECF No. 9.) The same day, the Clerk of Court denied Plaintiff's request for entry of default. (ECF No. 11.)

The Court shall order that Plaintiff provide additional information regarding service of process on Newline. It is unclear from the proof of service how Newline was served. Although the process server indicates the manner of service was via first class mail, the process server also indicates the "owner of the postal station" where "defendant maintains a unit" was served. (ECF No. 6.) Accordingly, it is not clear whether Newline was served via mail or via substitute service on the postmaster.[1]

[1] To be clear, the Court offers no opinion whether either manner conforms with any allowable manner of service under federal or state law.

Plaintiff also fails to provide clarification as to the manner of service in its request for entry of default. (ECF No. 9.) Rather, the affidavit filed in support of Plaintiff's request for entry of default refers the Clerk of Court to the vague and conflicting proof of service and merely states such service was in accordance with Rule 4 of the Federal Rules of Civil Procedure.

Accordingly, IT IS HEREBY ORDERED that, **no later than March 18, 2025,** Plaintiff shall file a status report regarding the status of service on Defendant Newline Transport, Inc. and provide the specific rule under federal and/or state law that supports that manner of service. Alternatively, Plaintiff may file an amended proof of service or otherwise request an extension of time that is supported by good cause to effect proper service on Defendant Newline Transport, Inc.

IT IS SO ORDERED.

Dated: **March 12, 2025**

STANLEY A. BOONE
United States Magistrate Judge